

REMARKS

Claims 1-25 are currently pending, wherein claims 1, 11, and 21 are independent. Applicant respectfully requests favorable reconsideration in view of the remarks presented herein below.

At the outset, Applicant notes with appreciation the indication that claims 4-8 and 14-18 contain allowable subject matter and would be allowed if rewritten in independent form.

In paragraph 2 of Office Action ("Action"), the Examiner rejects claims 1-3, 9-13, and 19-25 under 35 U.S.C. § 102(b) as allegedly being anticipated by International Application Publication No. WO 98/43406 to Walker et al. ("Walker"). Applicant respectfully traverses this rejection.

In order to support a rejection under 35 U.S.C. § 102, the cited reference must teach each and every claimed element. In the present case, claims 1-3, 9-13, and 19-25 are not anticipated by Walker because Walker fails to disclose each and every claimed element as discussed below.

Independent claim 1 defines an output information control device. The device includes, *inter alia*, a display video generation means for generating a display video signal based on a video signal received together with added information, an associated information storage means for storing associated information independent from, and interchangeable with the added information, and an information output means for outputting the associated information stored in said associated information storage

means and the display video signal generated by said display video generation means while associating them with each other.

Walker discloses an apparatus and method for providing supplemental information related to video programs. According to Walker, a customer can request, through a telephone or electronic network interface, specific supplemental information related to one or more characters within a broadcast television program. The supplemental information is synchronized to the audio component of the television program so that there is no conflict, and is communicated to the customer via the network interface. However, nowhere in Walker is there any disclosure or suggestion of receiving a video signal together with added information, wherein associated information stored in the device is independent from and *interchangeable* with the added information.

In rejecting claim 1, the Examiner asserts that the supplemental information of Walker is "clearly independent as well as interchangeable" with the video program data "because the supplemental data can be information related to particular characters in a TV program." This assertion is unfounded for the following reasons.

First, independent claim 1 recites that the associated information is independent and interchangeable with the *added data* not with the video data as asserted by the Examiner. Second, the supplemental information of Walker is intended to supplement the video data, not be interchanged with it as asserted by the Examiner. The whole premise of Walker's disclosure is to allow customers to view specific (i.e., individually

selected) character information in association with a broadcast television program. Accordingly, the supplemental information is not intended to be exchanged with the video data or any other data for that matter. It is intended to supplement (i.e., be viewed or listened to simultaneously with) the video program.

Independent claim 11 defines a method for controlling output information. The method includes, *inter alia*, generating a display video signal based on a video signal received together with an added information signal that carries added information, storing associated information independent from, and interchangeable with the added information, and outputting the stored associated information and the generated display video signal while associating them with each other. Independent claim 11 is patentable over Walker for at least the reason that Walker fails to disclose storing associated information independent from and interchangeable with the added information contained in the added information signal received with the video signal. (See discussion above with respect to claim 1).

Independent claim 21 defines an apparatus for controlling output information. The apparatus includes, *inter alia*, a transport stream separation unit which provides video data and added information based upon a received signal, an added information decoder operatively coupled to the transport system separation unit, which provide one of added information and associated information, wherein the associated information originates from a source which is independent of the received signal, and an image

superimposing unit which combines the video data and one of the associated information and added information to produce an output video signal.

In rejecting claim 21, the Examiner asserts that Walker inherently discloses an added information decoder as claimed inasmuch as Walker discloses a video processor that receives and processes video data as well as supplemental information. This assertion is unfounded for the following reason.

First, the mere fact that Walker discloses a video processor that receives and processes video data which may be analog or digital video is not equivalent to disclosing receipt of a transport stream comprising a video signal and an added information signal. To the contrary, nowhere in Walker is there any disclosure of receiving an added information signal. Therefore, Walker does not inherently disclose an added information decoder because Walker does not disclose receiving added information. Accordingly, independent claim 21 is patentable over Walker because Walker fails to disclose each and every claimed element.

Claims 2, 3, 9, 10, 12, 13, 19, 20, and 22-25 variously depend from independent claims 1 and 11. Therefore, claims 2, 3, 9, 10, 12, 13, 19, 20, and 22-25 are patentable over Walker for at least those reasons presented above with respect to claims 1 and 11. Accordingly, Applicant respectfully request reconsideration and withdrawal of the rejection of claims 1-3, 9-13, and 19-25 under 35 U.S.C. § 102(b).

The application is in condition for allowance. Notice of same is earnestly solicited. Should there be any outstanding matters that need to be resolved in the

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present application, the Examiner is respectfully requested to contact Penny Caudle (Reg. No. 46,607) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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